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Book Reviews

A TREATISE ON THE LAW OF CARRIERS. By Dewitt C. Moore. Matthew Bender & Co., 511-513 Broadway, Albany, New York. 1914. Vol. 1, pp. cclxxxii, 580; vol. 2, pp. ix, 1448; vol. 3, pp. vii, 2444. \$19.50.

The recent development of the Law of Carriers has been disconcertingly rapid, and there has been need of a text-writer who would collect and effectively organize the late decisions. This duty has been performed in thorough-going fashion by Mr. Dewitt C. Moore of the Johnstown, New York, Bar, in the second edition of his work on Carriers, and it may be said, without fulsome eulogy, that the resulting treatise is without a superior in its immediate field.

The text of the work is singularly compact. There is gratifying freedom from the "padding" which mars the product of so many latter day legal writers. We cannot doubt the entire truth of the author's prefatory statement that "it has taken more time and labor to abridge these pages than to write them." The studied process of condensation has yielded an enormous gain in working efficiency which none can fail to appreciate to the full.

The annotations are copious, embracing all the recent cases. This feature of the work bears evidence of exhaustive as well as intelligent effort. No statement of principle is allowed to rest upon the author's fiat—a veritable wealth of citation is marshalled immediately in support. The controlling law is made readily available, even to him who runs as he reads.

A substantial portion of volume three is devoted to the Act to Regulate Commerce and cognate statutes. The Act is prefaced by a brief preliminary chapter dealing with the commerce clause of the Constitution in its relation to transportation. This innovation is especially to be commended. It serves to delimit, albeit in the briefest compass, the fields respectively occupied by the state and federal authorities in the world of commerce. While not within the scope of a treatise on carriers, technically speaking, it effectively restricts the treatment of the Act to its proper sphere.

No doubt can be entertained that a conscientious effort has been made to cover this immediate branch of the subject as thoroughly as any other, but there is an obvious lack of the firm grasp which characterizes the treatment of other topics. Casual errors in the citations likewise begin to appear. It is somewhat embarrassing, for example, to find the case of *Lundquist v. Grand Trunk Western Railway Company*, 121 Fed. 915, cited as established law (vol. 3, p. 1789), despite the fact that it was squarely overruled by the United States Su-

preme Court in *Interstate Commerce Commission v. Delaware, Lackawanna & Western Railroad Co.*, 220 U. S. 235. This latter decision is, of course, duly cited (vol. 3, p. 1810), but the clash with the *Lindquist* case seems not to have been suspected. Similarly, there has been a failure to note certain changes in the law produced by recent amendments to the Act—a fault which is readily to be pardoned. These defects are, presumably, chargeable to inaccurate revision of the text of the first edition.

It is impossible to avoid a sense of regret that extensive portions of the general text consist of conjoined statements of principle snatched almost verbatim from the lips of the courts. The practice is common and perhaps not easy to avoid. It makes for exactness, but detracts substantially from style and effect. The legal writing which endures must be essentially that of the author himself; he must make his own the principles which are found in the decisions of the courts and then give them independent expression. To the extent that the author here has followed a different course he has failed to attain the most satisfying results.

But a work of merit cannot be criticised with comfort. It is enough that its shortcomings are unimportant and that its virtues are most marked. *Moore on Carriers* is assured an honorable position among legal treatises.

A. P. M.

THE PUBLICATIONS OF THE SELDEN SOCIETY. Vol. XXVI. Year Books of Edward II. Vol. VI. 4 Edward II. A. D. 1310-1311. Edited by G. J. Turner, of Lincoln Inn, Barrister-at-Law. Bernard Quaritch, 11 Grafton St. New Bond St., London, W. England. 1914. pp. civ, 228. £1, 8s.

THE PUBLICATIONS OF THE SELDEN SOCIETY. Volume XXX. Select Bills in Eyre, A. D. 1292-1333. Edited by William Craddock Bolland. Bernard Quaritch, 11 Grafton St., New Bond St., London, W., England. 1914. pp. lxiii, 198. £1, 8s.

The first mentioned of these two publications will perhaps prove the more interesting to the student of law, the second, to the student of social and economic conditions and of general history. But both of them are replete with interest to many sorts of men, and cast light upon many problems of the most vital interest at the present day.

For example, are the rich getting richer and the poor poorer, or is the contrary the fact? In the thirteenth century we find from the Bills in Eyre that oxen are valued as low as six shillings apiece, a mare at seven shillings, a "hackney" at twelve pence. But notwithstanding these valuations taken from bills in this collection, the high cost of living was apparently not a thing unknown to the subjects of the first three Edwards. Oats and wheat are valued at from two to five shillings a quarter. The very cheapness